

SIDLEY AUSTIN LLP  
**SIDLEY**

SIDLEY AUSTIN LLP  
787 SEVENTH AVENUE  
NEW YORK, NY 10019  
(212) 839 5300  
(212) 839 5599 FAX

BEIJING  
BOSTON  
BRUSSELS  
CHICAGO  
DALLAS  
GENEVA

HONG KONG  
HOUSTON  
LONDON  
LOS ANGELES  
NEW YORK  
PALO ALTO

SAN FRANCISCO  
SHANGHAI  
SINGAPORE  
SYDNEY  
TOKYO  
WASHINGTON, D.C.

FOUNDED 1866

austin@sidley.com  
(212) 839 5785

DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 2/27/15

February 26, 2015

**By ECF and Hand Delivery**

The Honorable Colleen McMahon  
United States District Court for the  
Southern District of New York  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street  
New York, NY 10007-1312

*I will look at it*  
*Colleen McMahon*  
*2/27/15*

**MEMO ENDORSED**

Re: Maricultura del Norte, S. de R.L. de C.V., et al. v. World Business Capital, Inc., et al., 14 Civ. 10143 (CM) (KNF)

Dear Judge McMahon:

I write on behalf of defendants AMERRA Capital Management, LLC ("AMERRA") and Craig A. Tashjian with respect to plaintiffs' motion to disqualify Sidley Austin LLP, pursuant to the provision of Your Honor's Rules (the "Rules") that permits letter motions to Chambers in certain circumstances. Mindful that sur-replies generally are not permitted, defendants respectfully move the Court for an Order granting them a right to submit a brief sur-reply under the circumstances described below.

Plaintiffs' motion to disqualify Sidley was supported solely by an affidavit of Fernando Elías-Calles, asserting solely that an attorney-client relationship was established between Sidley and his clients (plaintiffs here) in February 2013. Following submission of opposing papers rebutting plaintiffs' contention, plaintiffs' reply filed on February 24 asserted for the first time that the alleged attorney-client relationship was instead established earlier, through communications in October-November 2012. Plaintiffs submitted a "supplemental" declaration by Mr. Elías-Calles that raised new matter and documents that were not the subject of their moving papers. Accordingly, defendants AMERRA and Mr. Tashjian respectfully request permission to submit a brief sur-reply in the form attached as Exhibit A, in order to respond to the new matter which plaintiffs did not previously bring before the Court.



The Honorable Colleen McMahon  
February 26, 2015  
Page 2

We are available for a telephonic or in-person conference if Your Honor wishes to discuss these matters with counsel. Thank you.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Alan M. Unger", with a long, sweeping horizontal line extending to the right.

Alan M. Unger

Enclosures

cc: All Counsel